

In this case, the appellants failed to explicitly reserve the right to appeal a certified question of law that was dispositive of the case as mandated by Tenn. R. Crim. P. 37(b)(2)(iv) and Preston. “[T]he judgments do not contain an identification of the scope and limits of the legal issue reserved as required. Nor do the judgments contain any statement in satisfaction of the reservation requirements, nor do they contain any statement that the question is dispositive, all explicitly required by Preston.” State v. Pendergrass, 937 S.W.2d 834, 837 (Tenn. 1996). As our Supreme Court has stated, these “mandatory” requirements are “unambiguous.” Id. In addition, these requirements apply “regardless of what has appeared in prior petitions, orders, colloquy in open court or otherwise.” Preston, 759 S.W.2d at 650. Nevertheless, the appellants have not included in the record the state’s response to their motion, a copy of the transcript of the suppression hearing, or any relevant order of the trial court. Contrary to the appellants’ position that they did not want to “clutter[] the record with unnecessary material,” this Court cannot review the ruling of the trial court if the nature of the issue, arguments thereon, and the trial court’s ruling and reasons are not included in the record.

For these reasons, we are precluded from considering whether the trial court properly denied the appellants’ motion to suppress. IT IS, THEREFORE, ORDERED that the judgment of the trial court is affirmed pursuant to Rule 20, Tennessee Court of Criminal Appeals Rules. Costs are taxed to the appellants.

Enter, this the ____ day of May, 1998.

JOHN H. PEAY, JUDGE

PAUL G. SUMMERS, JUDGE

THOMAS T. WOODALL, JUDGE